

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
	)	
v.	)	Criminal No. 04-40002-NMG
	)	
	)	
JOSEPH DiFLUMERA	)	
	)	

**DEFENDANT’S MOTION TO EXCLUDE TIME FOR THE PURPOSES  
OF THE SPEEDY TRIAL ACT**

Defendant Joseph DiFlumera (“DiFlumera”) hereby moves to exclude the time from May 24, 2005 through October 17, 2005 for the purposes of the Speedy Trial Act.

In support of this motion, DiFlumera states as follows:

1. On May 24, 2005, the Court held a status conference in this case to establish a date for trial.
2. At the status conference, and at DiFlumera’s request, the Court scheduled a trial date of October 17, 2005.
3. DiFlumera requested the above date due in part to certain medical conditions and problems that he is currently experiencing.
4. DiFlumera believes that the “ends of justice” are best served by scheduling an October trial date. *See* 18 U.S.C. § 3161(h)(8).

WHEREFORE, DiFlumera respectfully requests that the Court exclude the time from May 24, 2005 through October 17, 2005 for purposes of the Speedy Trial Act.

By his attorneys,

/s/ Paul V. Kelly  
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